

Attorney's Docket No.: 08935-245001 / M-4962

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James J. Cervera et al.  
Serial No. : 09/902,884  
Filed : July 11, 2001  
Title : BATTERY

Art Unit : 1746  
Examiner : Jonathan Crepeau

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In response to the Examiner's reasons for allowance of claims 1, 4-9, and 28-38 in the Office Action mailed September 23, 2004, Applicants do not concede that the reasons for allowance given by the Examiner are the only reasons for which the claims are allowable. The claims are also allowable for other and independent reasons, including the reasons set forth in Applicants' prior communications. Applicants also do not necessarily agree with the Examiner's characterization of the cited references.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: DECEMBER 21, 2004

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## CERTIFICATE OF TRANSMISSION BY FACSIMILE

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